

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

_____	)	
UNITED STATES OF AMERICA,	)	
Complainant,	)	8 U.S.C. § 1324a Proceeding
	)	
v.	)	OCAHO Case No. 96A00108
	)	
499 JERICHO TURNPIKE CORP.	)	Judge Robert L. Barton, Jr.
d/b/a CAFE TESTAROSSA,	)	
Respondent.	)	
_____	)	

**ORDER DISMISSING PROCEEDING**

(November 26, 1996)

Pursuant to 28 C.F.R. § 68.14(a)(2), the parties have moved to dismiss this action, because the parties have entered into a Settlement Agreement. The parties have attached the Settlement Agreement to the Motion to Dismiss, and in paragraph five of the Settlement Agreement Respondent has agreed to withdraw its request for hearing.

The OCAHO Rules of Practice and Procedure provide that when parties or their authorized representatives enter into a proposed settlement agreement, they may submit to the Judge either a proposed agreement containing consent findings and a proposed decision and order or notify the Judge that the parties have reached a full settlement and have agreed to the dismissal of the action. 28 C.F.R. § 68.14(a).

In this case, the parties have not submitted consent findings. However, the parties have reached a full settlement and have jointly moved to dismiss this action. Therefore, pursuant to 28 C.F.R. § 68.14(a)(2), the Motion to Dismiss is granted, and this case is dismissed with prejudice.

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**ROBERT L. BARTON, JR.**  
**ADMINISTRATIVE LAW JUDGE**

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of November 1996, I have served the foregoing Order Dismissing Proceeding on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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